

BLACK GETS CLEAR TITLE TO COURT SEAT

Continued from Page One
The Levitt motion was denied on the ground that it disclosed "no interest upon the part of the petitioner other than that of a citizen and a member of the bar of this court." Such an interest was held to be insufficient to warrant the court's hearing Levitt's challenge.

Regarding the Kelly motion the court said merely that it was "denied" in view of the action in the Levitt petition. There was no indication that there was any division among the justices over the ruling. How the justices vote in such instances is not announced.

Dismissal of the challenges gave Black a clear title to his seat in so far as present legal actions are concerned.

Levitt, however, has indicated that there may be others: "This fight will not be over if my petition is denied," he had said before the ruling.

Neither the Kelly nor Levitt motions made any reference to charges of Ku Klux Klan membership which furnished the basis for principal senate attacks on Black's appointment and caused a storm of controversy before he finally took his seat.

To the charges Black said in a radio speech to the nation that he had joined the Ku Klux Klan once but had resigned and never rejoined.

In their motions Levitt and Kelly contended there was no vacant place on court to which Black could be appointed. Levitt also argued that Black was ineligible because he was a member of the senate which increased "emoluments" of the justices by voting the supreme court retirement act.

Justice Black moved slightly in his chair from time to time as he watched new attorneys step up to the bar for the high tribunal.

As each of the group was introduced and the clerk administered the oath, the new justice who took his seat last Monday turned in his chair and gazed directly at the ceremony.

He did not change expression during the whole ceremony.

His chair at the bench had been changed since the court session last Monday. The former chair with a much higher back, was placed here while the justice was in Europe, on his vacation. The new one, a smaller one with a shorter back is similar to the one he uses in his office in the court house.

When Levitt emerged from the court room, he said:

"I am not surprised at the court's action because it was one of the possibilities for which I was prepared. My only official comment is contained in the Bible, Job 13: 15.

"I don't know which of possibly four or six steps will be taken but I am certain that another step will be taken. It will depend on my further consideration of the opinion."

The Biblical reference to which Levitt referred was: "Though he slay me, yet will I trust in him; but I will maintain mine own ways before him."

Patrick Henry Kelly termed the court's action in his case an evasion of the issue."

PRESIDENT CALLS SPECIAL SESSION

Continued from Page One
2. Reorganization of the executive branch of the government.

3. (Tentatively) anti-monopoly legislation.
"I shall ask that this special session to consider immediately," the said in one of his fire-side chats by radio tonight, "certain important legislation which my recent trip through the nation convinces me that American people immediately need."

"That does not mean that other legislation, to which I am not referring tonight, is not important for our national well-being, but other legislation can be more readily discussed at the regular session."

Congress will convene in special session November 15th instead of waiting until the regular session in January.

The president announced the signing of a proclamation calling the special session at a two minute press conference late in the afternoon.

In his radio speech tonight he declared those who oppose calling congress into session are fearful of letting democracy operate, and repeated previous assurances that the administration is concerned not with abolishing property but increasing the number of property owners.

RELIGION AND LIFE

Rev. A. H. Rapping

I have just read "Pioneering in Agriculture" written by Thomas Atkinson and his daughter Mary Meek Atkinson. Reading this book was an interesting and helpful experience. I know of no story that gives such a vivid and realistic picture of the development of agriculture in West Virginia as you will find in this book. In fact it seems to me that everyone interested in the development of agriculture in the state should read it. I hope that our educators in the state will see to it that a copy is placed in all of our school libraries, and that a special effort will be made to have all our Vocational Agriculture students and all our 4-H club members read it.

We do not appreciate, as we should, the contribution that pioneers like Atkinson have made toward the progress of state. One reason for this lack of appreciation is our lack of knowledge. In our magazines and books we tend to call attention and magnify the efforts of those who developed our natural resources and so very little about those, who were real factors in the development of the soul of our state.

In the life of Thomas Atkinson there was a happy blending of the desire and purpose to help the state develop materially, intellectually, morally, spiritually. Then, too, his intimate knowledge and sympathetic touch with real life situations through the years helped him to have a practical perspective of life. A study of this book presents a real challenge to the pioneers of the future. Can we take the situation as we find it today and help chart the future growth and development of the state as effectively as Thomas Atkinson did? He, in unusual way, lived up to the ideal.

What's What About Social Security

As another service to its readers, The McDowell Times each week will give authoritative answers to questions on the Social Security law. By special arrangements with Mr. U. A. Knapp, Manager of the Social Security Board office at 306 Morrison Building in Charleston, the Social Security Board has consented to pass on the accuracy of answers to questions on Social Security, which may be asked by employers, employees, and others, through the McDowell Times. Address inquiries to The Editor, the McDowell Times, Keystone, West Virginia. Answers will be given here in the order in which questions are received. This is an informational service and is not legal advice or service. In keeping with Social Security Board policy names will not be published.—Editor.

Q. When will the Social Security Board begin to make old age benefit payment?

A. Lump sum payments are now being made daily but it appears many persons who have sums due them have not filed claims. No payments is made unless claim is filed. If you have reached 65 since last January 1 and have been paid wages for work done as an employee since last December 31 in any employment which is not specially excepted under the old age benefit provisions of the Social Security act a payment is due you. If you have a legal interest in the estate of a worker who has died since last December 31 a payment may be due you. Your nearest Social Security Board Field Office will give you every assistance.

Q. Is it true that \$10 is the least any worker will get under the Social Security Act when he reaches 65 years?

A. The minimum monthly old age benefit payment which will be made to those employees who qualify for monthly benefits will be \$10 a month. Payment of these will not begin until January 1942. Meanwhile lump sum payments are made to workers who have reached 65 since last January 1 and have qualified for lump sum

payments. The amount of a lump sum payment to an individual will vary, and will depend on the amount of the wages earned by the individual. The payment will be 3 1-2 percent of total wages. For example: Suppose wages amounted to \$1,000; the lump sum payment would be \$35.

Q. When will unemployment compensation benefit payments begin?

A. Payment of unemployment compensation benefits will be begun to eligible workers next January in the District of Columbia, Maryland, North Carolina, Virginia and West Virginia and many other states.

Q. How much public assistance am I entitled to each month?

A. The public assistance part of the Social Security program is a State-Federal program, which is administered by the State, in accordance with a State plan approved by the Social Security Board as meeting the requirements of the Social Security Act. The Act does not specify what amount shall be paid to an individual. The amount is determined by the State and is based on the need of the individual. Do not confuse old age assistance with old age benefits.

DR. PICKENS SPEAKS

(Continued From Page One)

siatic audiences. He is a well orator, leader and educator, having been connected for many years with several leading Negro educational institutions. In recent years he has traveled on lecture tours in Scotland, Germany, Poland, Russia, Switzerland and Austria.

Dr. Pickens received his B. A. degree from Talladega college in Alabama and continued his education at Yale University where he was graduated with Phi Beta Kappa honors.

Dr. Pickens is the author of several books and essays some of which are: "The New Negro," "The Heir of Slaves," "Bursting Bonds," and a group of after-dinner stories.

ATEMPT TO REVIVE "BITRIF OF NATION"

(Continued From Page One)

The film was exhibited Monday night, October 4 at New York University in a course on appreciation of the cinema, but the lecture accompanying the film took due note of its anti-Negro aspects and made the point clear to the audience. One reviewer who saw the N. Y. U. exhibition stated that some of the anti-Negro episodes drew laughs from the audience. Nevertheless, the NAACP is maintaining that the film should not be revived under any circumstances.

Don't be a three-quarter wife, take LYDIA E. PINKHAM'S VEGETABLE COMPOUND and Go "Smiling Through."

LIVING BECOMES A RACE PROBLEM

By Starling R. Martin

Most of my articles have been dealing recently with youth. The problems, conditions opportunities and surroundings. Youths are more or less interesting because they are the future citizens of this world because our colleges and Institutes are turning out thousands of students yearly. They must be prepared to do the world's work in order to compete with men of other races. Their mind must be trained in every walk of life in education, business, politics, religion and manual labor. Times are speedily changing. In order to get just a little bit better job than the other fellow is to be trained a little bit better than the other fellow.

Do not let all of our boys and girls go into the field of academic education. There are enough teachers to serve this country for the next 10 years I respect highly the mining department in West Virginia state college where one of our former county teacher, Mr. V. G. Carter is instructing, also the course in mining which is being taught at Kimball high by one of my former classmates Prof. Andrew King. There may be even other schools in the county which are doing this remarkable work in preparing people how to live. In the field of business I note one of my school mates, Mr. Charles Burns was quite active with the supreme life insurance co. where he reported he was doing quite well. Again with this great race population every field of making a livelihood is open to those who are inspired with such zeal as to say "I will prepare myself and may be my chance will come." Still there are other open avenues of livelihood prosperity in the other walks of life. An up to date beauty salon, grocery stores, and many other fields. There for youth realizes the necessity of learning how to get a living out of all walks of life.

ORDER OF PUBLICATION WEST VIRGINIA: In the Clerk's Office of the Circuit Court of McDowell County, Oct. 14, 1937.

ALICE WASHINGTON Plaintiff.
Vs.
RUSSELL WASHINGTON Defendant.

PENDING IN THE CIRCUIT COURT OF SAID McDOWELL COUNTY

The object of this suit is to obtain from the defendant by the plaintiff a divorce from the bonds of matrimony and for general relief.

And it appearing from an affidavit now on file with the papers in this cause, that the defendant is a non-resident of the State of West Virginia; it is therefore ordered that the said defendant do appear at the Clerk's Office of the Circuit Court of McDowell county within one month from the date of the first publication of this order, and do what is necessary to protect his interest herein.

And it is further ordered that a copy of this order be published once a week for three successive weeks in some newspaper of general circulation, published in said McDowell county.

A Copy, Teste:

HOBERT E. PAYNE, Clerk, Circuit Court, McDowell County West Virginia
JOSEPH G. TRAVIS, P. Q. Date of first publication, Friday October 15, 1937.

ORDER OF PUBLICATION VS. In Chancery

WEST VIRGINIA: In the Clerk's Office of the Circuit Court of McDowell County, Oct. 14, 1937.

NOLAN YOUNG Plaintiff

VS. In Chancery

DORA BELL YOUNG Defendant

Pending In The Circuit Court of Said McDowell County

The object of this suit is to obtain from the defendant by the plaintiff a divorce from the bonds of matrimony and for general relief.

And it appearing from an affidavit now on file with the papers in this cause, that the defendant is a non-resident of the State of West Virginia; it is therefore ordered that the said defendant do appear at the Clerk's office of the Circuit Court of McDowell County within one month from the date of the 1st publication of this order, and do what is necessary to protect her interest herein.

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A Copy, Teste:

HOBERT E. PAYNE, Clerk, Circuit Court, McDowell County
JOSEPH G. TRAVIS, P. Q. Date of first publication, Friday October 15, 1937.

Notice!

To patrons of the services for Removal of Garbage in the city of Keystone. This is to request that persons so favored will be ready to and willing to meet collector, Mrs. Olander Mansfield on the first of every month, and oblige.

Signed:
Street Commissioner
Oct. 4, 1937.

LEGAL NOTICES

Notice of Application For License To Carry A Pistol

Notice is hereby given that the undersigned will apply to the Honorable Thomas H. S. Curd, Judge of the Circuit Court, McDowell County, West Virginia, at his office in the of Said County, on the 25th day of October, 1937, at 10 A. M. or as soon thereafter as he may be heard, for a license to carry a pistol or other gun. The undersigned address is Kimball, W. Va., and his man for the town of Kimball, occupation is a regular police.

Dated this 6th day of October, 1937.

FRED MOORE

HELP OBLIGATED ONLY ONE THOUSAND SIXTEEN THOUSAND DOLLAR CHURCH WANTING AND FIFTY DOLLARS

Friends—White and Colored Requested To Help Save Church From Embracement
Depression Drove Members To Parts Unknown and Out of Reach; Will Christians Respond?

Ladies and gentlemen: In presenting a certain number of financial facts to the public is done not with the spirit of indicting any one or any set of persons as being guilty of sins of omission commission or a wilful dereliction to any ones known duty. But the object of this article is to call the public attention to the fact, that the Keystone Presbyterian (Colored) Instituted by Rev. J. V. Whittico, late and lamented pioneer of then organization of this faith in the state and who was the first to organize a consolidated school building, known as the Keystone Eckman Graded, or now Jr. high school, which was declared in the West Virginia State Journal by State upintendent T. C. Miller to be the very first of its kind to do away with the one and two room school buildings, we want to open our breasts—hiding nothing—and being ashamed of having to tell the whole truth about why these few dollars have not been paid before this time. They are as follows: Members of the church because of the "Widely Advertised Hoover Depression" drove quite a number of our members out of reach for active service and financial participation. The church cost sixteen thousands.

Since that time the debt has been paid down to \$1300 or conserve with the laws of the Banking Institution.

Woodcock Fishes for Its Food
The woodcock fishes for its food in the soft muck river bottoms. Its long bill with flexible point is extremely sensitive.

Colorado Has 35 Peaks
In Colorado are thirty-five of the forty-two highest mountain peaks in the United States.

Tweeds Once Called "Tweels"
The power loom was introduced in the woolen trade of Scotland about 1830 and tweeds were then known as "Tweels."

Viper Fish in Icy Waters
The viper fish lives far down in the icy waters of the ocean. It wears two rows of phosphorescent spots along its body.

Pins in Many Varieties
Pins are manufactured in England in hundreds of varieties from 3 1/2 inches long to entomologists' pins so small that it takes about 4,500 to weigh an ounce.

Beware Kidney Germs if Tired, Nervous, Aching

Are you Run Down, Nervous, suffer Aching or Swollen Joints? Do you Get Up Nights, or suffer from Burning Passages, Frequent Headaches, Leg Pains, Backache, Dizziness, Buty Eyeids, Loss of Appetite and Energy? If so, the true cause often may be germs in the body during colds, or by bad teeth or tonsils that need removing. These germs may attack the delicate membranes of your Kidneys or Bladder and often cause much trouble. Ordinary medicines can't help much because they don't fight the germs. The doctors formula Cystex, now stocked by all druggists, starts fighting Kidney germs in 3 hours and must prove entirely satisfactory in 1 week and be exactly the medicine you need or money back is guaranteed. Telephone your druggist for Cystex (Siss-text) today. The guarantee protects you. Copyright, 1937 The Knox Co.

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MATNEY JUNK COMPANY

NEXT DOOR TO BL ELY F LD

Also Proprietor of The Celebrated Matney Grocery Company, Brown's Creek Road
In market to buy any and all kinds of junk
We pay good prices for all kinds of junk
Welch W.Va.

Write For Information Phone 185



Tolbert's Dairy

Supplier of the milk in the Country

SUPPLIES PEOPLE ALL OVER COAL FIELDS
Little Children Cry for Clean Rich Milk
On Road Bluefield Near Bramwell, West Virginia

Idle Hour Cafe

CALHOUN BUILDING KEYSTONE, WEST VA.

If you are not already a patron of the Idle Hour Cafe

YOU ARE GRATEFULLY INVITED.

"Where Good Fellows Get Together"

Keystone's Choice Eating Place

BILLIARD PARLOR — PRIVATE DINING ROOMS

SANDWICHES — BEER — REGULAR MEALS